



BUTTACI LEARDI & WERNER
ATTORNEYS AT LAW

BUTTACI LEARDI & WERNER LLC
212 Carnegie Center, Suite 202
Princeton, NJ 08540
609-799-5150
609-799-5180 FAX
www.buttacilaw.com

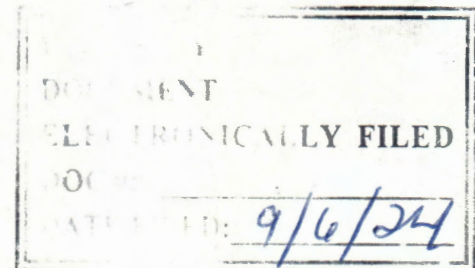
MEMO ENDORSED

CHRISTOPHER B. BLADEL
MEMBER, NY & NJ BARS
DIRECT EXTENSION: 135
E-MAIL: CBBLADEL@BUTTACILAW.COM

September 6, 2024

VIA ELECTRONIC CASE FILING

The Honorable Louis L. Stanton, U.S.D.J.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312



Re: Atlantic Neurosurgical Specialists, P.A. v. Multiplan, Inc.
Civil Action No.: 1:20-cv-10685 (LLS) ("the 10685 Action")

Hott, Jonathan, M.D. v. MultiPlan, Inc.
Civil Action No.: 1:21-cv-02421 (LLS) (the "02421 Action")

Dear Judge Stanton:

Our firm is counsel to Plaintiff Atlantic Neurosurgical Specialists, P.A. ("ANS") and Jonathan Hott, M.D. ("Dr. Hott") in the above-referenced matters, which have been consolidated for purposes of discovery. With the consent of counsel for defendant MultiPlan, Inc. ("MultiPlan"), ANS and Dr. Hott submit this Letter Motion respectfully requesting that the Court enter the enclosed "Discovery and Confidentiality Order in Consolidated Cases."

By way of background, prior to the Court's entry of the Stipulation and Consent Order, which consolidated the above matters for discovery purposes, the parties submitted, and the Court entered, a Discovery and Confidentiality Order in the 10685 Action. [D.E. 31]. ANS and Dr. Hott have prepared subpoenas to third party health insurers and claims administrators for group health plans seeking, *inter alia*, (1) contracts between the insurers/claims administrators and MultiPlan; and (2) the administrative records, which will contain HIPAA-protected information, for the claims for benefits at issue in this case.

Our review of the docket indicates that although the Discovery and Confidentiality Order was entered in the 10685 Action, there was no corresponding Discovery and Confidentiality Order adopted in Dr. Hott's case and the Stipulation and Consent Order that consolidated these matters



The Honorable Louis L. Stanton, U.S.D.J.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
September 6, 2024

for purposes of discovery did not expressly incorporate the Confidentiality Order in the 10685 Action to both cases—although the parties have conducted discovery in both matters consistent with the terms of the existing Confidentiality Order.

Plaintiffs anticipate the health insurers and claims administrators to which they will issue subpoenas will object to the disclosure and production of information each may deem to be “confidential, “proprietary,” and/or protected health information subject to HIPAA privacy laws. Accordingly, the parties respectfully request that Your Honor enter the enclosed “Discovery and Confidentiality Order in Consolidated Cases,” which Plaintiffs will provide to the insurers and claims administrators concurrent with service of all subpoenas to address potential concerns each entity may have regarding compliance therewith.

Done
9/6/24
LLS

We thank the Court in advance for its attention to this matter.

Respectfully submitted,

BUTTACI LEARDI & WERNER LLC

/s/ Christopher B. Bladel

Christopher B. Bladel
An Attorney of the Firm

cc: All Counsel of Record (via ECF only)